

Message Text

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ACTION L-03

INFO OCT-01 ISO-00 IO-14 AF-10 ARA-14 EA-12 EUR-12
NEA-10 HEW-06 SP-02 AID-05 EB-08 TRSE-00 SS-15
STR-07 OMB-01 CEA-01 CIAE-00 COME-00 FRB-01
INR-10 NSAE-00 XMB-04 OPIC-06 LAB-04 SIL-01
JUSE-00 SEC-01 FTC-01 OIC-02 SSO-00 INRE-00
NSCE-00 ICAE-00 ITC-01 /152 W
-----046170 021340Z /44

O 021308Z AUG 78
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 2773
INFO AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY CARACAS
AMEMBASSY COPENHAGEN
AMEMBASSY HELSINKI
AMEMBASSY KINGSTON
AMEMBASSY LONDON
AMEMBASSY MEXICO
AMEMBASSY NEW DELHI
AMEMBASSY OSLO
AMEMBASSY OTTAWA
AMEMBASSY PARIS
AMEMBASSY ROME
AMEMBASSY STOCKHOLM
AMEMBASSY THE HAGUE
USMISSION USUN NEW YORK
AMEMBASSY WELLINGTON

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E.O. 11652:N/A
TAGS: EGEN, ECOSOC, UN
SUBJECT: 1978 SUMMER ECOSOC: US INITIATIVE ON ILLICIT
PAYMENTS

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1. LATE TUESDAY NIGHT JAMAICA HANDED US A COURTESY COPY
OF G-77 PROPOSED ON ILLICIT PAYMENTS THAT WAS GOING TO
BE SUBMITTED IN TUESDAY'S ABUAH GROUP SESSION. BECAUSE
OF OTHER ABUAH COMMITMENT, NO SESSION WAS HELD, AND IT
WILL NOW MEET AT 11:00 A.M. WEDNESDAY. THE FOLLOWING
IS G-77 TEXT, WHICH IS THE ONLY CONCRETE PROPOSAL WE HAVE
BEEN GIVEN BY ANY MEMBER OF GG77 DURING THE ECOSOC

SESSION. THE PROPOSAL MAY INDICATE SOME OF THE DIFFICULTIES WE FACE ON LINKAGE, AS WELL AS ON CERTAIN OTHER POINTS. TEXT FOLLOWS:

THE ECONOMIC AND SOCIAL COUNCIL,

NOTING THE REPORT OF THE COMMISSION ON TRANSNATIONAL CORPORATIONS AT ITS FOURTH SESSION AND ITS RECOMMENDATION TO THE COUNCIL CONCERNING A CODE OF CONDUCT;

NOTING ALSO THE REPORT OF THE AD HOC INTERGOVERNMENTAL WORKING GROUP ON THE PROBLEM OF CORRUPT PRACTICES AT ITS FOURTH, FIFTH AND RESUMED FIFTH SESSIONS, AND THE OBSERVATIONS MADE REGARDING THE LACK OF THOROUGH AND MEANINGFUL DISCUSSION OF ARTICLE 7 OF THE DRAFT TEXT;

AWARE OF THE IMPORTANCE OF AND THE CLOSE LINKS BETWEEN THE WORK ON A CODE OF CONDUCT ON TRANSNATIONAL CORPORATIONS AND THE WORK ON AN INTERNATIONAL AGREEMENT ON ILLICIT PAYMENTS INsofar AS IT RELATES TO TRANSNATIONAL CORPORATIONS, PARTICULARLY WITH REGARD TO THEIR OPERATIONS IN DEVELOPING COUNTRIES;

REAFFIRMING THAT THE FORMULATION OF A CODE OF CONDUCT BY THE COMMISSION ON TRANSNATIONAL CORPORATIONS SHOULD BE GIVEN THE HIGHEST PRIORITY AND THAT THE CONCLUSION
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OF AN INTERNATIONAL AGREEMENT ON ILLICIT PAYMENTS SHOULD IN NO WAY INTERFERE WITH OR DELAY THAT PRIORITY;

DECIDES:

(A) TO ADOPT THE RECOMMENDATION THAT THE INTERGOVERNMENTAL WORKING GROUP ON A CODE OF CONDUCT HOLD THREE SESSIONS OF TWO WEEKS EACH BEFORE THE FIFTH SESSION OF THE COMMISSION ON TRANSNATIONAL AND TO REQUEST THE COMMISSION TO SUBMIT A DRAFT CODE WITH RECOMMENDATIONS ON THE TIMING OF A CONFERENCE TO CONCLUDE AND ADOPT A CODE OF CONDUCT AT THE EARLIEST POSSIBLE TIME;

(B) THAT THE ENLARGED AD HOC INTERGOVERNMENTAL WORKING GROUP ON THE PROBLEM OF CORRUPT PRACTICES SHOULD HOLD ONE TWO-WEEK SESSION OR TWO ONEWEEK SESSIONS FOR THE PURPOSE OF ADVANCING AS FAR AS POSSIBLE THE WORK ON A DRAFT AGREEMENT, PARTICULARLY IN RESPECT OF ARTICLE 7 THEREOF, AND TO REPORT THEREON TO THE COUNCIL AT ITS SECOND REGULAR SESSION FOR 1979;

(C) TO CONSIDER AT ITS SECOND REGULAR SESSION FOR 1979, AND

IN LIGHT OF THE TWO REPORTS REQUESTED ABOVE, THE ESTABLISH-
MENT OF PREPARATORY ARRANGEMENTS FOR THE CONCLUSION AND
ADOPTION OF A CODE OF CONDUCT ON TRANSNATIONAL CORPORATIONS
ON ONE HAND AND ON INTERNATIONAL AGREEMENT ON ILLICIT
PAYMENTS, ON THE OTHER. END TEXT.

2. WE WILL DO WHAT WE CAN AT THE 11:00 ABUAH SESSION
AND INFORMALLY, BUT G-77'S POINT OF POLITICAL PRINCIPLE
THAT ILLICIT PAYMENTS WORK NOT OUTPACE CODE APPEARS
FIRMLY HELD. WE ARE PROCEEDING ON BASIS THAT G-77
POSITION REPRESENTED BY TEXT IS TOTALLY UNACCEPTABLE,
AND THAT IT WOULD BE UNFORTUNATE IF THIS IS ANOTHER
NON-NEGOTIABLE TEXT, AS IS THE CASE WITH OTHER
RESOLUTIONS BEFORE US.
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SEC-01 FTC-01 OIC-02 SSO-00 INRE-00 NSCE-00
ICAE-00 HEW-06 ITC-01 /152 W
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3. WE WILL TELEPHONE COLLECT RESULTS OF
MORNING SESSION AS SOON AS THEY ARE IN. VANDEN HEUVEL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: BRIBERY, INTERGOVERNMENTAL COOPERATION
Control Number: n/a
Copy: SINGLE
Draft Date: 02 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978GENEVA11799
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780316-0231
Format: TEL
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t197808109/aaaadnbj.tel
Line Count: 182
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 53148b58-c288-dd11-92da-001cc4696bcc
Office: ACTION L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1565186
Secure: OPEN
Status: NATIVE
Subject: 1978 SUMMER ECOSOC: US INITIATIVE ON ILLICIT PAYMENTS UNCLASSIFIED
TAGS: EGEN, US, ECOSOC, UN
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/53148b58-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014